

HOUSE \_\_\_\_\_ AMENDMENT NO. \_\_\_\_\_

Offered By \_\_\_\_\_

AMEND Senate Substitute for Senate Bill No. 464, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“195.060. 1. Except as provided in subsection [3] 4 of this section, a pharmacist, in good faith, may sell and dispense controlled substances to any person only upon a prescription of a practitioner as authorized by statute, provided that the controlled substances listed in Schedule V may be sold without prescription in accordance with regulations of the department of health and senior services. All written prescriptions shall be signed by the person prescribing the same. All prescriptions shall be dated on the day when issued and bearing the full name and address of the patient for whom, or of the owner of the animal for which, the drug is prescribed, and the full name, address, and the registry number under the federal controlled substances laws of the person prescribing, if he is required by those laws to be so registered. If the prescription is for an animal, it shall state the species of the animal for which the drug is prescribed. The person filling the prescription shall either write the date of filling and his own signature on the prescription or retain the date of filling and the identity of the dispenser as electronic prescription information. The prescription or electronic prescription information shall be retained on file by the proprietor of the pharmacy in which it is filled for a period of two years, so as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this law. No prescription for a drug in Schedule I or II shall be filled more than six months after the date prescribed; no prescription for a drug in schedule I or II shall be refilled; no prescription for a drug in Schedule III or IV shall be filled or refilled more than six months after the date of the original prescription or be refilled more than five times unless renewed by the practitioner.

2. A pharmacist, in good faith, may sell and dispense controlled substances to any person upon a prescription of a practitioner located in another state, provided that the prescription was issued according to and in compliance with the applicable laws of that state and the United States, provided that the quantity limitations in subsection 2 of section 195.080 apply to prescriptions dispensed to patients located in this state.

3. The legal owner of any stock of controlled substances in a pharmacy, upon discontinuance of dealing in such drugs, may sell the stock to a manufacturer, wholesaler, or pharmacist, but only on an official written order.

[3.] 4. A pharmacist, in good faith, may sell and dispense any Schedule II drug or drugs to any person in emergency situations as defined by rule of the department of health and senior services upon an

1 oral prescription by an authorized practitioner.

2 [4.] 5. Except where a bona fide physician-patient-pharmacist relationship exists, prescriptions  
3 for narcotics or hallucinogenic drugs shall not be delivered to or for an ultimate user or agent by mail or  
4 other common carrier.

5 195.080. 1. Except as otherwise in sections 195.005 to 195.425 specifically provided, sections  
6 195.005 to 195.425 shall not apply to the following cases: prescribing, administering, dispensing or  
7 selling at retail of liniments, ointments, and other preparations that are susceptible of external use only  
8 and that contain controlled substances in such combinations of drugs as to prevent the drugs from being  
9 readily extracted from such liniments, ointments, or preparations, except that sections 195.005 to 195.425  
10 shall apply to all liniments, ointments, and other preparations that contain coca leaves in any quantity or  
11 combination.

12 2. The quantity of Schedule II controlled substances prescribed or dispensed at any one time shall  
13 be limited to a thirty-day supply. The quantity of Schedule III, IV or V controlled substances prescribed  
14 or dispensed at any one time shall be limited to a ninety-day supply and shall be prescribed and dispensed  
15 in compliance with the general provisions of sections 195.005 to 195.425. The supply limitations  
16 provided in this subsection may be increased up to three months if the physician describes on the  
17 prescription form or indicates via telephone, fax, or electronic communication to the pharmacy to be  
18 entered on or attached to the prescription form the medical reason for requiring the larger supply. The  
19 supply limitations provided in this subsection shall not apply if:

20 (1) The prescription is issued by a practitioner located in another state according to and in  
21 compliance with the applicable laws of that state and the United States and dispensed to a patient located  
22 in another state; or

23 (2) The prescription is dispensed directly to a member of the United States armed forces serving  
24 outside the United States.

25 3. The partial filling of a prescription for a Schedule II substance is permissible as defined by  
26 regulation by the department of health and senior services.

27 334.747. 1. A physician assistant with a certificate of controlled substance prescriptive authority  
28 as provided in this section may prescribe any controlled substance listed in schedule III, IV, or V of  
29 section 195.017 when delegated the authority to prescribe controlled substances in a supervision  
30 agreement. Such authority shall be listed on the supervision verification form on file with the state board  
31 of healing arts. The supervising physician shall maintain the right to limit a specific scheduled drug or  
32 scheduled drug category that the physician assistant is permitted to prescribe. Any limitations shall be  
33 listed on the supervision form. Physician assistants shall not prescribe controlled substances for  
34 themselves or members of their families. Schedule III controlled substances shall be limited to a five-day  
35 supply without refill. Physician assistants who are authorized to prescribe controlled substances under  
36 this section shall register with the federal Drug Enforcement Administration and the state bureau of  
37 narcotics and dangerous drugs, and shall include [such] the Drug Enforcement Administration registration  
38 [numbers] number on prescriptions for controlled substances.

39 2. The supervising physician shall be responsible to determine and document the completion of at  
40 least one hundred twenty hours in a four-month period by the physician assistant during which the

1 physician assistant shall practice with the supervising physician on-site prior to prescribing controlled  
2 substances when the supervising physician is not on-site. Such limitation shall not apply to physician  
3 assistants of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30,  
4 2009.

5 3. A physician assistant shall receive a certificate of controlled substance prescriptive authority  
6 from the board of healing arts upon verification of the completion of the following educational  
7 requirements:

8 (1) Successful completion of an advanced pharmacology course that includes clinical training in  
9 the prescription of drugs, medicines, and therapeutic devices. A course or courses with advanced  
10 pharmacological content in a physician assistant program accredited by the Accreditation Review  
11 Commission on Education for the Physician Assistant (ARC-PA) or its predecessor agency shall satisfy  
12 such requirement;

13 (2) Completion of a minimum of three hundred clock hours of clinical training by the supervising  
14 physician in the prescription of drugs, medicines, and therapeutic devices;

15 (3) Completion of a minimum of one year of supervised clinical practice or supervised clinical  
16 rotations. One year of clinical rotations in a program accredited by the Accreditation Review Commission  
17 on Education for the Physician Assistant (ARC-PA) or its predecessor agency, which includes  
18 pharmacotherapeutics as a component of its clinical training, shall satisfy such requirement. Proof of such  
19 training shall serve to document experience in the prescribing of drugs, medicines, and therapeutic  
20 devices;

21 (4) A physician assistant previously licensed in a jurisdiction where physician assistants are  
22 authorized to prescribe controlled substances may obtain a state bureau of narcotics and dangerous drugs  
23 registration if a supervising physician can attest that the physician assistant has met the requirements of  
24 subdivisions (1) to (3) of this subsection and provides documentation of existing federal Drug  
25 Enforcement Agency registration.”; and

26  
27 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.